

Exhibit 9

CONFIDENTIAL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

PLAINTIFF,

CASE NO.

VS.

3:17-CV-00939-WHA

UBER TECHNOLOGIES, INC.,

OTTOMOTTO LLC; OTTO

TRUCKING LLC,

DEFENDANTS.

CONFIDENTIAL

VIDEOTAPED DEPOSITION OF RHIAN MORGAN

SAN FRANCISCO, CALIFORNIA

FRIDAY, APRIL 14, 2017

VOLUME I

Reported By:

MEGAN F. ALVAREZ, RPR, CSR No. 12470

Job No. 2594028

PAGES 1 - 28

Page 1

CONFIDENTIAL

1 BY MS. COOPER: 13:10:18

2 Q. Were you involved in a due diligence 13:10:23

3 investigation in the spring of 2016? 13:10:26

4 A. No. 13:10:28

5 Q. Have you ever heard of such an 13:10:29

6 investigation? 13:10:31

7 A. No. 13:10:35

8 Q. You've never heard of a due diligence 13:10:37

9 investigation conducted by Uber in the spring of 13:10:39

10 2016? 13:10:43

11 MR. TATE: Objection. Form. 13:10:44

12 BY MS. COOPER: 13:10:44

13 Q. Is that correct? 13:10:46

14 A. I remember there being some interviews 13:10:49

15 that happened for some of our early employees. I'm 13:10:51

16 not sure if that counts under due diligence or -- or 13:10:55

17 not. 13:10:59

18 Q. Who was conducting the interview? 13:10:59

19 MR. TATE: I'm going to object on the 13:11:01

20 basis of attorney-client privilege, joint defense, 13:11:02

21 common interest. 13:11:08

22 And instruct the witness not to answer any 13:11:10

23 further questions regarding any due diligence that 13:11:11

24 you're talking about. 13:11:15

25 ///

Page 17

CONFIDENTIAL

1 BY MS. COOPER: 13:11:18

2 Q. Was the employee attestation a product of 13:11:19

3 the due diligence investigation? 13:11:21

4 MR. TATE: Again, same objection. 13:11:23

5 I'm going to instruct the witness not to 13:11:25

6 answer any questions on the basis of attorney-client 13:11:26

7 privilege, joint defense, common interest, and work 13:11:30

8 product, we'll add that. 13:11:33

9 BY MS. COOPER: 13:11:36

10 Q. Were any of Otto's HR policies affected by 13:11:42

11 the results of the due diligence report? 13:11:46

12 A. Not that I know. 13:11:52

13 Q. You were the head of HR. If you don't 13:11:53

14 know, who would know? 13:11:55

15 A. I wasn't involved in the due diligence 13:11:57

16 process. 13:11:59

17 Q. Who from Otto was involved? 13:12:01

18 A. I don't know. 13:12:04

19 MR. TATE: Okay. Again, respectfully, 13:12:05

20 Counsel, I instructed twice and I guess I'll do it 13:12:06

21 one more time. I'm objecting on the basis that the 13:12:11

22 inquiry into this due diligence violates -- it goes 13:12:15

23 into attorney-client privilege, common interest, 13:12:23

24 work product, joint defense communications, and I'm 13:12:26

25 instructing the witness not to answer. And I'd 13:12:31

Page 18